

origin and State of destination, directly back to the farm of origin accompanied by a permit; or

(b) Directly to an approved intermediate handling facility and then directly to a recognized slaughtering establishment or directly to an approved intermediate handling facility and then directly to a quarantined feedlot and then directly to a recognized slaughtering establishment if such cattle are "S" branded and accompanied by an "S" brand permit; or

(c) Directly to a recognized slaughtering establishment if such cattle are

(1) "S" branded and accompanied by an "S" brand permit; or

(2) Accompanied by an "S" brand permit and moved in vehicles closed with official seals applied and removed by an APHIS representative, State representative, an accredited veterinarian, or an individual authorized for this purpose by an APHIS representative.

The official seal numbers must be recorded on the "S" brand permit; or

(d) Directly to a quarantined feedlot if such cattle are "S" branded and accompanied by an "S" brand permit.

(Approved by the Office of Management and Budget under control number 0579-0047)

[51 FR 32580, Sept. 12, 1986, as amended at 56 FR 54534, Oct. 22, 1991; 56 FR 58638, 58639, Nov. 21, 1991]

§ 78.12 Cattle from quarantined areas.

Notwithstanding any provisions in the regulations to the contrary, cattle may be moved interstate from a quarantined area only in accordance with § 78.10, 9 CFR part 86, and this section.

(a) *Steers and spayed heifers.* Steers and spayed heifers may be moved interstate without further restriction under this section.

(b) *Brucellosis reactor cattle.* Brucellosis reactor cattle may be moved interstate in accordance with § 78.7.

(c) *Brucellosis exposed cattle.* Brucellosis exposed cattle may be moved interstate in accordance with § 78.8(a) or (b).

(d) *Movement from qualified herds.* Cattle from qualified herds in any quarantined area may be moved interstate only as follows:

(1) *Movement to recognized slaughtering establishments.* (i) Cattle from qualified

herds in a quarantined area may be moved interstate from a farm of origin directly to a recognized slaughtering establishment or directly to a specifically approved stockyard and then directly to a recognized slaughtering establishment if they are negative to an official test within 30 days prior to such interstate movement and are accompanied by an ICVI or "S" brand permit which states, in addition to the items specified in § 78.1, the test dates and results of the official tests; or

(ii) Cattle from qualified herds in a quarantined area may be moved interstate from a farm of origin directly to an approved intermediate handling facility and then directly to a recognized slaughtering establishment or directly to an approved intermediate handling facility and then directly to a quarantined feedlot and then directly to a recognized slaughtering establishment if they are negative to an official test within 30 days prior to such interstate movement and are accompanied by an "S" brand permit which states, in addition to the items specified in § 78.1, the test dates and results of the official tests; or

(iii) Cattle from qualified herds in a quarantined area may be moved interstate from a farm of origin directly to a specifically approved stockyard and then directly to an approved intermediate handling facility and then directly to a recognized slaughtering establishment or directly to an approved intermediate handling facility and then directly to a quarantined feedlot and then directly to a recognized slaughtering establishment if they are negative to an official test within 30 days prior to such interstate movement and are accompanied by a permit or "S" brand permit which states, in addition to the items specified in § 78.1, the test dates and results of the official tests; or

(iv) Cattle from qualified herds in a quarantined area may be moved interstate in accordance with § 78.8(a).

(2) *Movement to quarantined feedlots.*

(i) Cattle from qualified herds in a quarantined area may be moved interstate from a farm of origin directly to a quarantined feedlot, or directly to a specifically approved stockyard and then directly to a quarantined feedlot,

§ 78.13

or directly to an approved intermediate handling facility and then directly to a quarantined feedlot if the cattle are negative to an official test within 30 days prior to such interstate movement and are accompanied by an ICVI which states, in addition to the items specified in § 78.1 of this part, the test dates and results of the official tests; or

(ii) Cattle from qualified herds in a quarantined area may be moved in accordance with § 78.8(b).

(3) *Movement other than in accordance with paragraph (d)(1) or (2) of this section.* Cattle from qualified herds in a quarantined area may be moved interstate other than in accordance with paragraph (d)(1) or (2) of this section, either directly from a farm of origin or from a farm of origin through no more than one specifically approved stockyard if

(i) The cattle, except official vaccines less than 1 year of age and cattle less than 6 months of age, are negative to an official test within 30 days prior to such interstate movement; and

(ii) The cattle are accompanied interstate by an ICVI which states, in addition to the items specified in § 78.1, the test dates and results of the official tests when such tests are required.

(e) *Movement from herds which are not qualified.* Cattle from herds known to be affected or from herds which are not qualified in any quarantined area may be moved interstate only in accordance with § 78.8(a) or (b).⁵

(Approved by the Office of Management and Budget under control number 0579-0051)

[51 FR 32580, Sept. 12, 1986, as amended at 56 FR 58638, Nov. 21, 1991; 59 FR 67133, Dec. 29, 1994; 78 FR 2070, Jan. 9, 2013]

§ 78.13 Other movements.

The Administrator may, upon request in specific cases, permit the interstate movement of cattle not otherwise provided for in this subpart, under such conditions as the Administrator may prescribe in each case to prevent the spread of brucellosis. The

⁵ A herd which is not qualified in a quarantined area may become a qualified herd upon compliance with the provisions set forth in § 78.1 in the definition of "qualified herd."

9 CFR Ch. I (1–1–16 Edition)

Administrator shall promptly notify the State animal health officials of the States involved of any such action.

[51 FR 32580, Sept. 12, 1986, as amended at 56 FR 54534, Oct. 22, 1991]

§ 78.14 Rodeo cattle.

(a) Rodeo cattle that are test-eligible and that are from a herd not known to be affected may be moved interstate if:

(1) They are classified as brucellosis negative based upon an official test conducted less than 365 days before the date of interstate movement: *Provided, however, That:* The official test is not required for rodeo cattle that are moved only between Class Free States;

(2) The cattle are identified with an official eartag or any other official identification device or method approved by the Administrator in accordance with § 78.5;

(3) There is no change of ownership since the date of the last official test;

(4) An ICVI accompanies each interstate movement of the cattle; and

(5) A permit for entry is issued for each interstate movement of the cattle.

(b) Cattle that would qualify as rodeo cattle, but that are used for breeding purposes during the 365 days following the date of being tested, may be moved interstate only if they meet the requirements for cattle in this subpart and in 9 CFR part 86.

(Approved by the Office of Management and Budget under control number 0579-0047)

[78 FR 2070, Jan. 9, 2013]

§§ 78.15–78.19 [Reserved]

Subpart C—Restrictions on Interstate Movement of Bison Because of Brucellosis

§ 78.20 General restrictions.

Bison may not be moved interstate except in compliance with this subpart and with 9 CFR part 86.

[51 FR 32580, Sept. 12, 1986, as amended at 78 FR 2070, Jan. 9, 2013]